

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

LEON WALKER, JR., et al.	)	
	)	
PLAINTIFF,	)	
	)	
v.	)	Case No.
	)	
RONALD E VAUGHAN, et al.	)	
	)	Jury Trial Demanded
DEFENDANTS.	)	

**NOTICE OF REMOVAL TO FEDERAL COURT**

Defendants Ronald E Vaughan, Hershell Wallace and City of St. Louis, Missouri (“Defendants”) hereby notify this Court of the removal of *Walker v. Vaughan, et al.*, Cause No. 1522-CC09972, from the 22nd Judicial Circuit Court of Missouri, to the U.S. District Court for the Eastern District of Missouri. As grounds for removal, Defendant states:

1. On June 24, 2015, Plaintiffs Leon Walker, Jr., Wanda Jean Millbrook, Correll Taylor Millbrook and Victor Wayne Millbrooks, Jr. (“Plaintiffs”) filed suit against Defendants in the 22nd Judicial Circuit Court of Missouri, in *Walker v. Vaughan, et al.*, Cause No. 1522-CC09972.
2. Plaintiff effected service on Defendants Vaughan and City of St. Louis on July 17, 2015, and on Defendant Wallace on July 23, 2015.
3. Defendants file this notice within thirty days after service, making removal timely under 28 U.S.C. § 1446(b) and *Murphy Brothers, Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344, 354-355 (1999).
4. Pursuant to Local Rule 2.03, a copy of all process, pleadings, orders and other documents on file in state court are attached as Exhibit A.
5. Venue is proper in this District under 28 U.S.C. § 1441(a), because this District and Division embrace the place in which the removed action has been pending.
6. Plaintiff alleges violations of his Fourth Amendment constitutional rights and alleges that his cause of action arises under 42 U.S.C. § 1983, thus this Court has original jurisdiction under 28 U.S.C. § 1331.

7. City concurrently submits the filing fee in the amount of \$400.00 and the proof of filing the notice of removal with the Clerk of the State court.

WHEREFORE, CITY petitions this Court for removal of *Walker v. Vaughan, et al.*, Cause No. 1522-CC09972, from the 22nd Judicial Circuit Court of Missouri, to this Court for all further proceedings.

Respectfully submitted,

/s/ Rory P. O'Sullivan

Thomas R. McDonnell #38336MO

Rory P. O'Sullivan #62388

Room 314, City Hall

St. Louis, MO 63103

314.622.3361

FAX: 314.622.4956

McDonnellT@stlouis-mo.gov

OSullivanR@stlouis-mo.gov

**ATTORNEYS FOR DEFENDANTS RONALD E  
VAUGHAN, HERSELL WALLACE AND CITY  
OF ST. LOUIS, MISSOURI**

**CERTIFICATE OF SERVICE**

I hereby certify this Notice was electronically filed with the Court for service on August 14, 2015.

/s/ Rory O'Sullivan